



**ANNOUNCEMENT LS-132**

**April 2007**

**PURCHASE OF FROZEN, BREADED, CATFISH STRIPS  
FOR DISTRIBUTION TO CHILD NUTRITION AND  
OTHER FEDERAL FOOD AND NUTRITION PROGRAMS**

**I. GENERAL**

A. The United States Department of Agriculture (USDA) will periodically issue Invitations under this Announcement for offers to sell to USDA frozen, breaded, par-fried, freshwater catfish products produced in accordance with the Item Description and Checklist of Requirements (IDCR) for Breaded, Par-Fried, Catfish Strips, Frozen, dated November 2006--Attachment I.

The catfish products will be purchased on a competitive bid basis from suppliers who have met the requirements described in Section I.D.5. Interested suppliers may submit samples and technical proposals at any time during this purchase program. Suppliers should allow 10 working days from receipt by USDA for notification of results of the evaluation of the breaded catfish product samples and technical proposal(s). Following notification of acceptance of the catfish sample(s) and technical proposal(s), a supplier will be contacted for a pre-award supplier assessment audit as outlined in Section I.D.5. A supplier is deemed eligible to bid after notification by the Contracting Officer.

Submission of samples and technical proposal(s) is not binding on USDA. Actual purchases will be on a competitive bid basis as described in this Announcement and separately issued Invitations. The Invitations will specify the product type(s), offer date, the closing time for receipt of bids, the shipping period, destinations with any transportation restrictions, and any other provisions applicable to the proposed procurement, which are in addition to or different from those set forth herein (see Exhibit A for an example of an Invitation). Bids solicited under this Announcement and applicable Invitations are for delivery of products to USDA on an f.o.b. destination or f.a.s. vessel basis only.

Additional bid and contract provisions are included in the Annual Certifications, Representations, and Warranties (Appendix-1) and the General Terms and Conditions for the Procurement of Agricultural Commodities or Services, Revision 2, dated November 1984, and Amendments 1, 2, 3, and 4, dated October 1990, November 1990, August 1989, and March 1990, respectively, hereinafter referred to as USDA-1.

B. Offerors are cautioned to carefully read this Announcement, Appendix-1, USDA-1, Invitations, IDCR, applicable Audit, Review, and Compliance (ARC) Branch and the Department of Commerce (DOC), National Marine Fisheries Service (NMFS) Instructions. Failure to do so will be at the Offeror's risk. These documents are incorporated into the contract (see Section IV of this Announcement). Offerors are cautioned that statements made by persons other than the Contracting Officer, written or implied, are not binding on the Government unless confirmed in writing by the Contracting Officer.

### C. Offer Prices and Evidence of Delivery

Offer prices must be quoted and delivery of product must be on the basis of f.o.b. mechanically refrigerated cars or trucks at destination or f.a.s. vessel as specified in the applicable Invitation. **Certain destinations require delivery by TRUCK ONLY or RAIL ONLY and will be so identified in the Invitation. All products whether shipped by truck, rail, or piggyback must be palletized and stretchwrapped in accordance with the IDCR and the contractor's approved technical proposal, unless the Invitation and subsequent contract specifies "NO PALLETS." Contractors may arrange for a pallet exchange with consignee; however, USDA is in no way responsible for such arrangements.** Destinations that are known to not participate in a pallet exchange program will be noted on Invitations. Offers submitted on a basis other than f.o.b. destination or f.a.s. vessel will be rejected as nonresponsive.

When notified of shipments, consignees may request upgrading of delivery services; for example, delivery within the consignee's premises or to a specific room within a building. Such delivery terms are beyond USDA contractual requirements. Any negotiations to upgrade services are between contractor and consignee and any additional charges for special delivery terms are between the consignee and the contractor. Any charges invoiced to USDA for additional delivery services will be denied.

When making deliveries to more than one destination from the same railcar, the quantities required at each stopoff must be placed in separate compartments under seal. Each railcar compartment must be stacked in a manner that will preclude containers shifting while in transit.

All delivery units--trucklot and less-than-trucklot (LTL) quantities--must be secured at all times prior to unloading with tamper proof, tamper resistant, serially numbered, high security seals that meet the ISO 17712 standard. Failure to seal or maintain the delivery unit under seal in accordance with these requirements may subject the shipment to rejection.

The contractor must maintain a record of each seal number used for trucklot and LTL delivery units. Additionally, the contractor must ensure that the applicable seal identification number is on each bill of lading, shipment manifest, or other delivery documents for each delivery destination.

When LTL delivery units are transported on the same trailer or railcar and destined for multiple recipients, the trailer or railcar must be sealed after each delivery. The seal number must be recorded on the appropriate delivery documents and correspond with the applied seal at the time of arrival at the next destination. It will be the responsibility of the contractor to provide a sufficient number of seals and ensure that the carrier service (truck or rail) secures the trailer or railcar after each delivery destination. Failure to seal the trailer or railcar after each stop may subject the shipment to rejection at the next scheduled stop and rejection of any subsequent deliveries on the trailer or railcar.

The ISO 17712 standard can be obtained through the following websites: 1) American National Standards Institute: <http://webstore.ansi.org/ansidocstore/iso.asp?> or 2) International Organization for Standardization: <http://www.iso.org/iso/en/CatalogueListPage.CatalogueList>.

Contracts for the catfish products will be awarded on an f.o.b. destination or f.a.s. vessel basis with quality assurance determined by USDA through pre-award and post-award audits as described in Section 1.D.5. In addition, product must be produced under inspection by the DOC, NMFS

inspection regulations. If transportation is provided by common carrier, the contractor must furnish, in support of the contractor's invoice, a copy of the signed commercial bill of lading indicating the carrier's receipt of the product covered by the invoice for transportation to the destination specified in the contract. If transportation is provided by other than common carrier, the Contractor must attach to the contractor's invoice a receipted copy of the appropriate delivery document evidencing date of delivery and quantity received at the destination specified in the contract.

D. Responsibility of Offeror

1. Annual Certifications, Representations, and Warranties

An offeror intending to submit bids must complete Annual Certifications, Representations, and Warranties in Appendix-1 and return it to the Contracting Officer at the mailing address listed in Section II.A of this Announcement prior to the submission of its initial bid. The Appendix-1 must be signed by an officer of the company. If there are any changes or revisions to the annual Appendix-1, the offeror must submit an updated Appendix-1 to the Contracting Officer or submit corrections or revisions prior to bid submission. **In addition to the certifications submitted under Appendix-1, Contractor must complete the Online Representations and Certifications (ORCA) located at the following web address: <http://orca.bpn.gov/login.aspx>.**

2. Standard Form 129--Solicitation Mailing List Application

An Offeror intending to submit bids must also complete a Solicitation Mailing List Application (SF-129) and return it to the Contracting Officer at the mailing address listed in Section II. A. of this Announcement prior to the submission of its initial bid.

All items (except Item 18) of the SF-129 must be completed (see Exhibit B). Offeror must also include the following information for Items 4, 8, 10, 14, 16B, 19, and 20:

Items 4 and 8: Employee's Identification Number and DOC's establishment number.

Item 8: Identify all affiliates of offeror (applicant as shown in 4) by providing full name, main office address, and employer's identification number and company tax identification number (TIN) of the affiliates. An "affiliate" is defined on the back of the SF-129.

Item 10: The products purchased by USDA which the Offeror is interested in supplying, weekly volume of production, capacity, and percent of capacity available for USDA contracts. Attach separate list if additional space is needed.

Item 14: Company's TIN.

Item 16B: Identify the freezer or warehouse to be used and its storage capacity.

Items 19 and 20: Must be an officer of the company.

**Offeror must certify with each bid to the accuracy of the current SF-129 and Appendix-1 on file with the Contracting Officer.**

### 3. Responsibility

A firm submitting an offer under this Announcement must be in compliance with the Federal standards for responsibility contained in Title 48 C.F.R. Subpart 9.1, USDA-1, this Announcement, and Invitations. A determination of the responsibility contained in Title 48.C.F.R. Subpart 9.1 must be made prior to a firm submitting a technical proposal and sample evaluation. Facilities to be used in fulfilling USDA contracts must be operating in accordance with the applicable Food and Drug Administration (FDA) regulations and under NMFS Inspection which may include Type 1, Integrated Quality Assurance (IQA) or Hazard Analysis Critical Control Point (HACCP) Quality Management Program (HACCP-QMP).

**Contractor must be registered under the Central Contractor Registry (CCR) System as prescribed in Title 48 C.F.R., Subpart 4.1104 and will certify in Appendix-1 on file with the Contracting Officer.**

Offeror must ensure that all products offered for USDA purchases are in compliance with applicable contract and specification requirements. Offeror shall authorize the Contracting Officer's Technical Representative (COTR) and other authorized AMS agents, unrestricted access to all records that pertain to USDA contracts.

Contractor shall assure that the fish used in the production of the product under contract with USDA meets all material requirements and other specification provisions as set forth in the applicable product specification. Contractors are cautioned that the finding of any bones, bone fragments, or bone material in the end item product will result in the rejection of the involved production lots and appropriate warranty actions.

### 4. Food Defense Requirements

The contractor and all subcontractors must have a documented and operational food defense plan that provides for the security of a plant's production processes, which includes the storage and transportation of pre-production raw materials and other ingredients and post-production finished products. The plan shall address the following areas: 1) food defense plan management, 2) outside and inside security of the production and storage facilities, 3) harvesting and processing, including all raw material sources, 4) shipping and receiving, 5) storage, 6) water and ice supply, 7) mail handling, 8) personnel security, and 9) transportation, shipping, and receiving (includes sealing of any transport conveyance for truck lot and less-than-truck lot quantities of finished product).

The food defense plan will be audited by the AMS, ARC Branch (see section I.5.). See FSIS Security Guidelines for Food Processors: <http://www.fsis.usda.gov/OA/topics/SecurityGuide.pdf> Information for "The Transportation and Distribution of Meat, Poultry, and Egg Products" is located at: <http://www.fsis.usda.gov/OA/topics/TransportGuide.htm>

**NOTE: Do not submit the food defense plan with the technical proposal(s).**

### 5. Documentation and Assessment Requirements

To become an eligible supplier, the following must be submitted to the Contracting Officer at Agricultural Marketing Service, U.S. Department of Agriculture, Stop 0253, Room 2610-South Building, 1400 Independence Avenue, SW, Washington, D.C. 20250-0253, for evaluation and approval prior to bidding:

a. Technical Proposal:

- 1) Include a detailed description of each catfish item offered and each of the production steps taken to meet or exceed the minimum product requirements set forth in the IDCR. (Plan/Do)
- 2) Describe all the quality assurance methods used to verify conformance to all requirements. This will include the monitoring and measurements taken during the process to verify conformance with each requirement. All measurement results shall be recorded and made available to AMS and/or DOC. (Check)
- 3) Identify all corrective actions to be taken if deviations from contractual and specification requirements occur during production, and all preventative actions to be taken to preclude a reoccurrence. The contractor must have a segregation plan that assures product that does not conform to any requirements listed within the specification is not delivered to USDA purchase program. (Act)
- 4) The technical proposal shall follow the format as described in Section II. E., Technical Proposal format. Offeror's technical proposal should be brief and concise.
- 5) The proposal shall be preceded by the following, as required by the template:
  - a) Table of contents listing the major areas as they appear in the technical proposal template; and
  - b) List of attachments, forms provided with the proposal, if applicable.
- 6) The technical proposal should be written in the following format:
  - a) Plan and Do - A description of the planning and production steps taken to meet each requirement.
  - b) Check - Describes all the quality assurance methods that will be used to verify conformance to each requirement. This will include the monitoring and measurement taken during the process (all measurements results shall be recorded and made available to AMS and/or DOC upon request).
  - c) Act - Identifies all corrective actions to be taken if deviations from contractual and specification occur during production and all preventative actions taken to preclude reoccurrences.

b. Product Sample:

- 1) A ten-pound sample of the frozen, breaded, par-fried catfish strips with the ingredients statement and Nutrition Facts Panel that conforms to the IDCR (Attachment I). (All samples must arrive in the frozen state--zero degrees or less.)

The COTR will review each technical proposal to determine if the proposal and samples are adequate. The Contracting Officer will notify the supplier of the status of their sample(s) and technical proposal.

Once a supplier is notified by the Contracting Officer that samples and technical proposal meet the applicable criteria, the ARC Branch will contact the supplier to set up a supplier pre-award onsite capability assessment.

For those suppliers who are approved and remain eligible as determined by the Contracting Officer to submit offers, the pre-award assessment audit may be waived provided new or revised USDA program requirements are met. The contractor's technical proposal must address all or

revised program requirements and be submitted and approved by the Contracting Officer in advance of submitting offers.

c. Assessment by the ARC Branch

After the sample(s) and the technical proposal(s) are evaluated and approved, an ARC Branch auditor will perform an onsite assessment of the facilities, processes, food defense plan, and quality control program used to produce the product(s) to determine the supplier's ability to meet contractual requirements. The following assessments will apply:

1) Pre-Award Onsite Capability Assessment:

The pre-award onsite assessment (audit) will include, but is not limited to, a thorough evaluation of the potential contractors' and subcontractors' facilities, processes, food defense plan, quality control program, equipment, procedures, and the appropriate documents and forms used during the production of the catfish product.

Documentation must support: 1) the production of the catfish item that complies with the IDCR and 2) the contractor or subcontractor's food defense plan. In addition, the audit will consist of the review of records related to purchasing, receiving, production, quality control, inventory and shipping records, and interviews with management and production personnel.

Upon completion of the onsite capability assessment, the auditor will provide a report to the Contracting Officer for final review. After the sample has met the evaluation criteria and the supplier has satisfactorily completed the pre-award onsite capability assessment, the supplier will receive written notification from the Contracting Officer of their eligibility to bid.

If the report demonstrates that the process or food defense plan is inadequate, the applicant will be notified by the Contracting Officer that they are ineligible to bid. The applicant will have the opportunity to correct identified deficiencies, modify their processes, food defense plan, and/or technical proposal and resubmit for further consideration. Eligibility will depend on whether the modifications demonstrate that 1) the process is capable of delivering catfish products in compliance with the IDCR, 2) they are in compliance with their food defense plan, 3) includes the applicable assessment by USDA, and 4) they comply with other applicable contractual requirements.

2) Post-Award Assessment

Eligible suppliers who receive contracts must have their documented food defense plan, technical proposals, and supporting documentation readily available for review by the COTR or AMS agents. Records may be maintained on hard copy or electronic media. However, records maintained as electronic media will be made available in printed form immediately upon request by AMS or its agents.

The ARC Branch will conduct an onsite audit of the contractors and subcontractor's facilities and processes when production commences for the initial contract awarded. Additional audits will be conducted as determined by the

Contracting Officer, but not less than one per month for contractors or subcontractors with continuous or multiple contracts, or once per contract for intermittent contractors. At the discretion of the Contracting Officer, more frequent audits may be conducted when audit deficiencies are detected.

### 3) Post-Award Actions

Any deviation from contractual requirements will be immediately reported by the contractor to the Contracting Officer. The Contracting Officer will notify the contractor regarding eligibility to continue to participate as a contractor.

Contractor will assure that the delivered product complies with the provisions of the IDCR, the applicable assessment by USDA, and the contractor's technical proposal approved by the Contracting Officer.

## 6. Responsibility of Subcontractors/Suppliers

Contractors shall include, and the subcontractors must meet, the responsibility terms in the above paragraph D.3. of this section in every subcontract for supplies or services used by the contractor in fulfilling USDA contracts, either directly or indirectly, and obtain certification of responsibility as described in Appendix-1 to this Announcement from any subcontractors and suppliers.

Contractors shall include, and subcontractors must comply with, the domestic products clause in paragraph I.F. of this section for all subcontracts for fish or fish products used in fulfilling any contracts under this Announcement. All shipping containers must be labeled as "Domestic Only Product" on the principle display panel and invoices or bill of lading from the raw material supplier must indicate "Domestic Only Product".

Subcontractors or suppliers of catfish products are (1) ineligible if they are currently delivering late on USDA contracts or USDA-approved subcontracts and late delivery is not due to causes beyond their control; and (2) shall be deemed nonresponsible if they are not operating in accordance with the applicable FDA regulations and under DOC, NMFS inspection which may include Type I, IQA or HACCP-QMP, or have been suspended or debarred under the provisions of 48 C.F.R. Subpart 9.4.

## 7. Past Performance

The offeror must certify to timely performance on current contracts and subcontracts in **Item 4** of the Certification Section under the Domestic Electronic Entry System (DEBES) offer (Exhibit C). A determination that any past or current late performance was beyond the control or negligence of the contractor or the contractor's subcontractor **must be made by the Contracting Officer prior to bid opening**. An offeror will be deemed nonresponsible if the offeror or any of its affiliates or subcontractors are delivering late on other contracts or subcontracts with USDA and the late delivery is not due to causes beyond the contractor's or the contractor's subcontractor's control. This provision, as it pertains to small business, is a deviation from 48 C.F.R. Subpart 19.6.

**A false certification may result in rejection of the offer, suspension, and debarment by USDA, termination of the contract, liability for damages under the provisions of USDA-1, or criminal prosecution.**

Offerors are cautioned NOT to BID on product quantities exceeding a level that the offeror can reasonably expect to deliver in accordance with the contract schedule. On-time delivery is imperative because the products are used in school lunch and other USDA Federal food and nutrition programs. Late deliveries cause serious and substantial damages to USDA and to recipient agencies, some of which cannot be compensated for by liquidated damages.

Contractors shipping late on contract(s) must immediately notify the Contracting Officer of late shipments. If the contractor intends to request an extension due to causes beyond the control or negligence of the contractor, such notice must be made to the Contracting Officer 3 business days in advance of a bid opening in which the contractor wants to bid. Notification and request for extension must include (1) documentary evidence of causes beyond contractor's control for each day requested, (2) a production report of completed and/or expected production, including pounds and dates, and (3) actual or expected shipment dates by Notice-to-Deliver (N/D) numbers (see Article 68 of USDA-1).

E. Buy American Certification

End products furnished must be of domestic origin as defined in Section I.F. below. This provision is a deviation from 48 C.F.R. part 25 and for the purposes of this Announcement supersedes Article 49 of USDA-1. Other minor ingredients, e.g., seasonings, must comply with Article 49 of USDA-1.

F. Domestic Products

All catfish products used in fulfilling contracts awarded under this Announcement must be produced in the United States. United States-produced (hereafter referred to as U.S.- produced) catfish means manufactured from catfish raised in the United States, its territories, possessions, Puerto Rico, or the Trust Territories of the Pacific Islands (hereinafter referred to as the United States). U. S.-produced does not include imported catfish, fresh or frozen. If any fresh or frozen catfish products originating from sources other than the United States are processed or handled, the contractor will develop and maintain an identification and record system for these products to ensure they are segregated and not used to fulfill contracts awarded under this Announcement. Such segregation plan must be audited by the ARC Branch and made available to the ARC Branch agent upon request. The contractor will maintain records including, but not limited to, letters of conformance, invoices, production and inventory records evidencing product origin, and will make such records available for review by the Government in accordance with Article 76 of USDA-1.

**The contractor agrees to include this domestic origin certification clause in its entirety in all subcontracts for fresh and frozen catfish or catfish products used in fulfilling any contracts awarded under this Announcement and obtain certification from each catfish subcontractor that (1) the subcontractor will deliver only fresh or frozen catfish originating from U.S.- produced catfish as defined herein; and (2) all raw materials including catfish will be shipped in containers labeled as “Domestic Only Product” on the principle display panel and the bill of lading accompanying the shipment will contain the statement “Domestic Only Product”.**

Prior to performance on USDA contracts or subcontracts, contractors and catfish subcontractors must obtain approval of its domestic product program.



**G. Cancellation, Rescission, and Recovery of Funds for Illegal or Improper Activity**

1. If the Government receives information that a contractor or a person acting for the contractor has engaged in conduct constituting a violation of subsection (a), (b), (c), or (d) of section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423) (the Act), as amended by section 4304 of the National Defense Authorization Act for Fiscal Year 1996 (P.L. 104-106), the Government may:
  - (a) Cancel the solicitation, if the contract has not yet been awarded or issued; or
  - (b) Rescind the contract with respect to which:
    - 1) The contractor or someone acting for the contractor has been convicted for an offense where the conduct constitutes a violation of subsection 27(a) or (b) of the Act for the purpose of either (a) exchanging the information covered by such subsections for anything of value; or (b) obtaining or giving anyone a competitive advantage in the award of a Federal agency procurement contract; or
    - 2) The head of the contracting activity has determined, based upon a preponderance of the evidence, that the contractor or someone acting for the contractor has engaged in conduct constituting an offense punishable under subsection 27(e)(1) of the Act.
2. If the Government rescinds the contract under paragraph 1 of this clause, the Government is entitled to recover, in addition to any penalty prescribed by law, the amount expended under the contract.
3. The rights and remedies of the Government specified herein are not exclusive, and are in addition to any other rights and remedies provided by law, regulation, or under this contract.

**H. Service of Protest**

1. Protests, as defined in 48 C.F.R. part 33.101, that are filed directly with an agency, and copies of any protests that are filed with the General Accounting Office (GAO), shall be deemed served on the Contracting Officer by obtaining written and dated acknowledgment of receipt from the Contracting Officer designated in Section II. A.
2. A copy of any protest must be received by the Contracting Officer at the FAX or mailing address listed in Section II. A. within 1 business day of filing a protest with the GAO.

**II. SUBMISSION OF OFFERS****A. Where and How To Submit Offers****1. Electronic Submission of Offers**

All Offers must be submitted electronically by accessing DEBES. Browser Requirements for DEBES for electronic bidding are described in Attachment II. An offeror must request and receive a DEBES logon ID in order to access the website (see Attachment III for the form to request a logon ID). Only suppliers deemed responsible by the Contracting Officer will receive a DEBES logon ID.

Access the DEBES website at: <https://pcsd.usda.gov:3077/mdbc1000.exe?>

**Once connected to DEBES, follow the online procedures. Click on the “Help button” for detailed instructions on using the system or call (202) 720-2650 for assistance.**

AMS will not be responsible for any failure attributed to the transmission of the bid data prior to being accepted and stored on our web server including, but not limited, to the following:

- (a) Any failure of the offeror’s computer hardware or software,
- (b) Availability of your Internet service provider,
- (c) Delay in transmission due to the speed of your modem, or
- (d) Delay in transmission due to excessive volume of Internet traffic.

The DEBES system will generally be available 24 hours per day, except on Saturday until 9:00 p.m. Central Time, and on Sunday from 8:30 a.m. until 3:30 p.m. Central Time. System availability may at the time be subject to interruption in service due to unscheduled maintenance.

If an offeror’s Internet Service Provider (ISP) is not available, an offeror may submit a bid via facsimile (FAX). If an offeror plans to submit a bid via FAX, offeror **MUST** contact the Contracting Officer for approval prior to faxing offers.

Note: Exhibits C and D provide examples of how offers may be submitted via FAX:

- (e) Facilities for receiving offers by FAX are as follows:

FAX (202) 720-0949 (24 Hours)

- (f) Verification: **USDA-AMS-LS-CP-Branch**

**(202) 720-2650** (6:30 a.m. - 4:00 p.m., Central Time, Monday - Friday)

Faxed offers, modifications, or withdrawals of offers must be addressed as follows:

Contracting Officer  
Livestock and Seed Program  
Agricultural Marketing Service  
U.S. Department of Agriculture  
Stop 0253, Room 2610-South Building  
1400 Independence Avenue, SW  
Washington, D.C. 20250

#### **B. Where and When to Submit Offers**

Offers, modifications, or withdrawals of offers must be submitted to the Contracting Officer, Livestock and Seed Program, Agricultural Marketing Service (AMS), U.S. Department of Agriculture, Washington, D.C. 20250.

Offers, modifications, or withdrawals of offers under this Announcement must be received in the **DEBES Lockbox or, if authorized by the Contracting Officer, faxed to the AMS, LS, CP Branch not later than 1:30 p.m., Central Time**, on the date specified in the Invitation. Invitations will be issued by FAX and be available electronically through the USDA, AMS Commodity Procurement Home Page and posted on the DEBES Internet site. If the planned bid date falls on a nonworkday for USDA employees in the District of Columbia, offers, modifications, or withdrawals must be received by 1:30 p.m., Central Time on the next succeeding business day. Whether an offer, modification, or withdrawal is received within the time limitation will be determined by the last submission time recorded in DEBES or electronically captured at the AMS, LS, CP Branch in the event the offer is faxed.

Note: Once AMS has established an external portal site, invitations will no longer be sent by Fax, unless requested by supplier or USDA is experiencing technical difficulties at the portal site. Eligible suppliers will be granted access to the site and can subscribe to the appropriate folder(s). USDA will notify suppliers through a Notice to the Trade.

#### C. Shipping Periods

Planned shipping periods by Invitation are identified in Exhibit E. USDA may change this schedule or cease purchases depending on market conditions or funding considerations. Contracts will be awarded on a shipping period basis. The shipping period will be a specific period identified with each Invitation issued under this Announcement. Bidders are cautioned to refer to the applicable Invitation prior to bidding. Shipping periods will be on a first half/second half of the month (e.g., July 1-15 and July 16- 31).

#### D. Purchase Units

The purchase unit size is 40,000 pounds. The quantity offered on bids must be in purchase unit increments. An offeror may bid the entire quantity on the Invitation or a greater amount, but not less than one unit (e.g., 40,000 pounds). Only one offer price may be quoted to any delivery point listed from each shipping point, including combined destinations bracketed as one line item. Offerors may rearrange the destination sequence on these combined delivery units.

#### E. What to Submit

Electronic Bid:

An offer must include each of the following items:

#### Section 1--General

1. Name, phone number, and complete address and zip code of offeror (include both street and mailing address if different).
2. Identify submission as a bid.  
STATE: Bid--ANNOUNCEMENT LS-132, Invitation No. \_.
3. Name and street address including zip code of (a) final processing point and (b) shipping point.

**Section 2--Offer Form**

1. Item number listed on applicable Invitation, destination, and price per pound delivered to specific destination, segregated by product type if more than one is requested.

Notes: For bids other than electronic, Offerors may, at their own risk, exclude name of destination. Errors in item number(s) will not be apparent to Contracting Officer.

Quote only one delivered price per pound for each destination or multiple destinations listed as one item number. If more than one price per item is quoted, the line item will be ruled nonresponsive.

Estimated number of purchase units by destination will be listed on the Invitation. The offeror must not indicate the number of purchase units by destination. USDA may adjust the quantities listed on the Invitation based on offerings, market conditions, and/or program requirements.

Transportation restrictions will be shown on the Invitations.

The offeror may submit offers for as many destinations as desired. The maximum quantity to be awarded is determined by the constraints quoted in Section 3, Constraints of the bid.

Offer prices may be quoted up to four places to the right of the decimal point. **If other than four places, any digit past the fourth will automatically be dropped.**

**Section 3--Constraints**

1. State maximum quantity of each commodity type (if applicable) to be awarded and/or maximum quantity overall for Invitation (if applicable), both in number of purchase units and equivalent net pounds for shipment to required destinations between (date) and (date).

Notes: If offering for more than one processing point, be sure to indicate the number of units offered for each commodity type and/or maximum quantity overall for each processing point. Maximum quantity offered may be greater than demand shown on the Invitation.

Total maximum quantity overall for specific product types or Invitation is optional. If total overall is not quoted, AMS may award up to the maximum for each type.

State the applicable shipping period(s) associated with the Invitation.

**Section 4--Certifications**

1. For this bid, your company is designated as: (choose one)

- ☐ Large Business
- ☐ Large Minority Business
- ☐ Large Woman-Owned Business
- ☐ Large Woman-Owned Minority Business
- ☐ Small Business

- ☐ Small Minority Business
- ☐ Small Disadvantaged "Not 8A"
- ☐ Small Woman-Owned Minority
- ☐ Small Woman-Owned "Not 8A"
- ☐ "8a" Small Woman-Owned
- ☐ "8a" Small Disadvantaged

**Note:** For bids submitted electronically, if default designation is incorrect, please choose correct designation and notify Contracting Officer.

2. By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-132; Appendix 1; Inv. \_\_\_\_; Item Description and Checklist of Requirements, date November 2006; Contractor's technical proposal approved by the contracting officer; AMS auditor's initial report; USDA-1, Rev. 2, and Amds. 1, 2, 3 and 4 and the Federal Acquisition Regulations (both boxes must be selected).
  - ☐ HAS
  - ☐ DOES
3. Annual Representations, Certifications, and Warranties (Appendix 1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy): \_\_\_\_\_
  - (a) If Appendix HAS been amended, enter date amended: \_\_\_\_\_ or N/A.
4. Offeror certifies that the company had completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy).
5. Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.
  - ☐ Does
  - ☐ Does Not
6. All products required under any existing USDA contract(s) or subcontract(s) with a Not Later Than Date (NLT) prior to this bid opening HAS been shipped?
  - ☐ Has
  - ☐ Has Not
  - ☐ Has Not, But Has Notified C/O
  - ☐ No Existing Contracts
7. By submitting this bid, offeror certifies that all product conforms with the IDCR and no changes to the production process or technical proposal have occurred without proper approval by the Contracting Officer.
  - ☐ Does
8. By submitting this bid, offeror certifies that the offeror HAS registered under the CCR system as prescribed in Title 48, C.F.R. Subpart 4.1104.
  - ☐ Has

9. Show name, title, fax number, and phone number of person submitting this bid (must be an authorized company representative).

### Technical Proposal:

The following procedures establish the acceptable minimum requirements for the format and content of the proposals:

1. The Government has provided a technical proposal format which is to be used in preparing the technical proposal (See **Exhibit F**). The offeror shall submit technical proposals in both hard copies and an electronic format either on disk (3.5" diskette or CD) or e-mail. The technical proposal shall be saved in a complete portable document file (PDF) format. This format and electronic form provided will aid in the evaluation of the technical proposal.
2. Offers must submit diskettes or CDs in sealed disk mailers that have been signed by the same individual signing the original paper copy of the technical proposal. Offers submitting the electronic PDF format by e-mail must have it sent by the same individual signing the original paper copy of the technical proposal. By signing both the technical proposal and disk mailer, this individual will be attesting to the data in both formats being identical. The seals on this information will be broken by the Contracting Officer only. The technical proposal must be submitted by an authorized agent of the company, as evidenced by the SF-129 on file with the Contracting Officer.
3. The offeror will submit the appropriate number of copies as stated in the table below:

| Description   | Number of Hard Copies | Number of Diskettes/CD's |
|---|-----------------------|--------------------------|
| Technical Proposal<br>1. 8 ½" x 11" White Paper;<br>2. One sided-Single spaced (12 point font);<br>3. Proposal to be provided in protected document holder;<br>4. Proposal must contain a cover letter signed by the authorized person submitting proposal; and<br>5. Proposal submitted with all capital letters will be returned to Offeror without further review. | 2 (Original + 1 copy) | 1                        |

4. While it is not the desire of the Government to penalize an offeror for noncompliance with formatting instructions, technical evaluators may have difficulty grading the technical proposal to the fullest extent possible. Technical evaluators will not be required to search other subsections or sections of the offerors technical proposal for information requested for evaluation.

**Note: All hard copies and diskettes/CDs shall be mailed to the Contracting Officer at the address stated in Section II. A.**

### Technical Proposal Revisions

Changes to an offerors technical proposal may be submitted based on the Government's Amendments, Clarification Request, pre-award and post-award assessments, or at the request of the offeror. Maintenance of the integrity and clarity of each technical proposal is critical. All technical proposal revisions must meet the following criteria:

- 1) Any changes to a technical proposal made by the offeror after its initial submittal shall be accomplished by submitted replacement pages or an entire technical proposal package. The offeror shall include a cover letter that outlines the changes with a brief explanation for the change(s); the date; and the appropriate page number(s).

NOTE: Revisions to the approved technical proposal maybe submitted by email in a PDF format. Hard copies of the changes must be mailed to the Contracting Officer at the address stated in Section II.A.

- 2) Must be submitted in the same number of copies as the initial technical proposal and must have the same information provided on revised diskettes/CDs. The revised diskettes/CDs should contain only the pages that are being changed. Additional pages should be numbered using a page number suffix (e.g. 1.1, 1.2, 1.a., 1.b).
- 3) Submit changes to the technical proposals as a complete page change for each page on which a change occurs. Changes from the original page shall be on blue colored paper and the changes in text shall be **highlighted** or **bolded** and deletions in ~~strikeout~~.

### III. ACCEPTANCE OF OFFERS

The USDA will award contracts to offerors deemed eligible and responsible and whose bids conform to the Announcement and the applicable Invitation and whose bids are most advantageous to the Government in terms of, but not limited to, price, quantity needs at the specified destinations, and cost. The USDA requires a minimum acceptance period of 7 calendar days from the acceptance of offers. Acceptance of offers will be made by FAX filed at Washington, D.C., not later than midnight, local time, the seventh day following the day for receipt of offers. The official time of award is the date and time stamped on the contract faxed from the AMS, LS, CP Branch. Transmission of the contract is the official notice that the contract has been awarded. A notice of award will also be issued in the form of a Food Purchase Report (FPR) posted on the **Livestock and Seed Program, USDA, AMS Commodity Procurement Home Page** (see attached Notice), after 1:00 p.m., **Central time** on the day of acceptance. Information on awards will be available by telephone to bidders and interested parties promptly following the posting of the FPR. Inquiries may also be made to a USDA-AMS Market News office or the Contracting Officer.

Failure to accept an offer will constitute rejection. Filing of the acceptance wire as specified above will result in a binding contract without further action by either party. The actual time of award described herein deviates from 48 C.F.R. 14.408-1.

### IV. PROVISIONS OF CONTRACT

The contract consists of Announcement LS-132; the applicable Invitation; the IDCR, applicable ARC and NMFS Branch instructions; contractor's or subcontractor's (manufacturer's) technical proposal approved by the Contracting Officer; the AMS audit team's initial report, contractor's offer including

SF-129 and Appendix-1; the acceptance by USDA; USDA-1; and the Federal Acquisition Regulations, 48 CFR Section et seq. The following USDA-1 articles are excluded: Articles 34, 49, 50, 64(c), and all of Part E.

If the provisions of contract documents are not consistent, the following priority order will prevail: Invitation, Announcement, IDCR, contractor or subcontractor's technical proposal approved by the Contracting Officer, AMS Auditor's Initial Report, Appendix-1, Federal Acquisition Regulations, and USDA-1.

V. PRODUCT ITEM DESCRIPTION AND CHECKLIST OF REQUIREMENTS;  
CERTIFICATION; AND AUDIT SERVICES

- A. Specifications for fully frozen breaded catfish products will be set forth in the IDCR. If documents are amended, appropriate amendments must be referenced.
- B. Compliance with processing requirements as described in the IDCR and contractor/subcontractor's process documentation and quality control program will be verified through audits by AMS agents. The cost of all audits, including the pre-award, onsite assessment, must be borne by the contractor.
- C. Compliance with the Code of Federal Regulations 50, Part 260 must be under DOC, NMFS. The cost of all inspection service must be borne by the Contractor. Questions concerning charges and the availability of NMFS agents should be discussed with the nearest NMFS office (see Section XI).
- D. Questions concerning charges and the availability of AMS auditors should be discussed with the ARC branch in Washington, D.C. at (202) 690-0406.

VI. LOSS DUE TO DETERIORATION, SPOILAGE, OR RECALL

A. Loss due to Deterioration or Spoilage

The Contractor shall be held liable for losses due to deterioration or spoilage for which he or she is responsible, which are discovered within 4 months of the delivery date of the frozen catfish to USDA, in accordance with the provisions of Article 61 of USDA-1.

B. Liabilities Due to Product Recalled for Health or Safety Risk

In accordance with Article 60 of USDA-1, the contractor shall be held liable for failure of the commodity to meet all of the contract and specification requirements. In the event product is recalled due to a health or safety risk, the contractor is responsible for removal and replacement of recalled products and reimbursement of State and local costs incurred as a result of the recall, as outlined in the Food and Nutrition Service's Commodity Holds and Recall Process (see below). These costs include, at a minimum, storage, transportation, processing, and distribution of the commodities.

If product under contract is delivered to a facility for further processing under contract with a State and the product is recalled, it will be handled in accordance with the Food and Nutrition Service's Commodity Holds and Recall Process. A copy of this report can be obtained at the following web address: <http://www.fns.usda.gov/fdd/foodsafety/hold-recallpros.pdf>



## VII. CONTRACTOR CERTIFICATE OF CONFORMANCE AND CHECKLOADING

The contractor will not ship the product before receipt of shipping instructions from the Farm Service Agency (FSA) Kansas City Commodity Office (KCCO). Inspection as required by Article 54 of USDA-1 will be performed by AMS through supplier pre-award assessment and post-award audits as described in the IDCR. Contractor shall deliver intact lots whenever possible and split or combine lots only when necessary.

Contractor will perform checkloading examinations as described in the IDCR at the time of shipment and issue a Certificate of Conformance (COC), as described in Exhibit G, at the time of shipment and include with each shipment, a copy of the COC and the Contractor's checkloading certificate that contains all of the following information:

1. Contract Number,
2. Notice to Deliver (N/D) Number,
3. Name of Product,
4. Shipping Date,
5. Production lot number(s) and date each lot was produced,
6. Count of shipping containers and total projected new weight in each production lot. (The delivery unit will be 40,000 pounds net weight),
7. Identity of car or truck (car numbers and letters, seals, truck license, etc.) as applicable,
8. Contractor certification that product conforms with IDCR,
9. Count and projected net weight verified, and
10. Signature of company official responsible for checkloading.

## VIII. SHIPMENT - TRANSFER OF TITLE

### A. Shipment Requirements

Shipment must be made in accordance with this Announcement, the applicable Invitation, Articles 56 and 64(b) of USDA-1, and the N/D (Form KC-269) issued by KCCO. The contractor must closely follow delivery notification instructions contained in the N/D. Such notification of shipment is vital to proper execution of shipment, particularly in cases of minimal transit time.

The contractor must notify State distributing agencies and consignees of shipment. For rail shipment, notification must be made on the day of shipment. For truck shipment, notification of the estimated arrival time should be made as far in advance of delivery as possible. In addition, for truck or piggy-back shipment, the contractor must request and keep scheduled appointments. **Unloading appointments for truck or piggy-back shipment must be requested from the consignee contact party (s) at least 24 hours in advance of delivery.** The contractor must include with each shipment the contractor's checkloading certificate, the COC, and a signed bill of lading or other commercial documentation evidencing the quantity shipped with each delivery. If product is shipped in other than a commercial carrier and a bill of lading is not issued, the contractor's checkloading certificate must document quantity shipped and contractor must obtain a commercial receipt (i.e., warehouse receipt) signed by recipient agent evidencing date of delivery and quantity of product received.

B. Tolerances

The contractor must ship the quantity called for in the N/D. No tolerance is provided.

C. Early Delivery Requests

Requests for permission to deliver in advance of the "Not-Earlier-Than" date given in the N/D must be made to KCCO and approval will be granted if consignee is willing to accept product early and provides to KCCO the assurances required by KCCO of that arrangement.

D. Transfer of Title

Title and risk of loss will pass to USDA on the date of receipt of the product at the destination specified in the contract, as evidenced by suitable dated documentation such as the commercial bill of lading, warehouse receipt, dock receipt, or other similar signed and dated document evidencing delivery. If the Contractor has the product in storage and transfer of title is requested, title will pass to USDA as evidenced by the commercial bill of lading. The contractor is responsible for any shortage or damages as evidenced by the commercial bill of lading, FNS-57 report, or other commercial receipt evidencing delivery of product.

IX. LIQUIDATED DAMAGES

A. Compensation to Contractor for Late Mailing of Notice-to-Deliver

Liquidated damages for delay in shipment due to late mailing of N/D will be payable in accordance with Article 65 of USDA-1 and will be at the rate of 25 cents per hundredweight **net per calendar day**.

B. Compensation to USDA for Delays in Shipment

Timely delivery is important to fulfill the nutritional and dietary needs of persons consuming catfish products under the National School Lunch Program and other Federal food and nutrition programs and for the efficient and proper administration of these programs. Liquidated damages for **delay in shipment** are payable at the rate of 25 cents per hundredweight net per day in accordance with Article 67 of USDA-1. For purposes of assessing liquidated damages for **delay in shipment**, the date shown on the Contractor's checkloading certificate and COC is considered to be the date of shipment.

X. INVOICES AND PAYMENT

A. Shipping Period Contracts

Invoicing and payment will be handled in accordance with Article 70 of USDA-1. A properly prepared invoice consists of the following:

- a. Invoicing as provided for on the N/D (Form KC-269) or commercial invoice form;
- b. Commercial bill of lading signed by carrier's agent;
- c. Copy of the Contractor's Certificate of Conformance; and
- d. Original Contractor's Checkloading Certificate issued at time of shipment.

If a commercial Bill of Lading signed by carrier's agent is not issued, the invoice package must include a warehouse receipt signed by recipient agent evidencing date of delivery and quantity of product received.

**Any loss in transit will be determined by an Over, Short, or Damage Report (FNS-57) filed by recipient. KCMO will advise contractor of discrepancy and recover loss by setoff from future payments or process a claim.**

Contractors are encouraged to instruct carriers to return bills of lading or other commercial receipts signed by recipient agents evidencing the date and quantity of product received to avoid conflicts. If there is a conflict, the Bill of Lading signed by the recipient representative will prevail unless the discrepancy is due to damage not discernable at time of delivery.

**B. Invoice Mailing & Interest**

1. The invoice package must be mailed or delivered to Kansas City Management Office (KCMO) at the address listed in Section XI. of the Announcement. The outside of the package should be marked:

**"Prompt Pay Provisions Apply--Fish Product  
Attn: Vendor Invoice Payment Section"**

2. Interest will be paid in accordance with the provisions of the Prompt Payment Act, 31 USC 3901 et seq., if payment is made beyond the seventh day after the date of delivery. For payment purposes, the date of delivery will be the receipt date by KCMO of a properly prepared invoice package.

**C. Electronic Payment**

USDA payments must be made directly to a financial banking institution. To receive payments electronically, complete the attached Form SF-3881, ACH Vendor Payment Enrollment Form and submit to the Kansas City Management Office, Commodity Financial Operations Division, Inventory Control Branch; Telephone (816) 926-6988 or access the form via the internet at:  
<https://pcsd.usda.gov:3076/finance/>

USDA will no longer issue a paper copy of the disbursement statement. Complete the attached address information form, which identifies payment disbursement statement address as well as other needed information.

**XI. INQUIRIES**

Inquiries pertaining to this **solicitation and applicable documents** should be directed to:

Contracting Officer, Livestock and Seed Program  
Agricultural Marketing Service  
USDA, AMS, Stop 0253-Room 2610-S  
1400 Independence Avenue, SW;  
Washington, D.C. 20250-0253.  
Telephone: (202) 720-2650

Inquiries concerning **shipping instructions** should be directed to:

Director, Kansas City Commodity Office (KCCO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205  
Telephone: (816) 926-6062

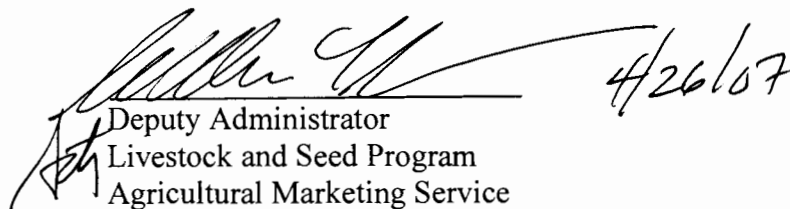
Inquiries concerning **payments** should be directed to:

Director, Kansas City Management Office (KCMO)  
Farm Service Agency  
U.S. Department of Agriculture  
P.O. Box 419205  
Kansas City, MO 64141-6205  
Telephone: (816) 926-6205

Inquires concerning **inspection** should be directed to either:

Deputy Director  
National Seafood Inspection Program  
NOAA/NMFS/F/SI  
1315 East-West Highway  
Room 10842  
Silver Spring, MD 20910  
Telephone: (301)713-2355

Director, Southeast Inspection Branch  
National Seafood Inspection Program  
USDC- NOAA-NMFS  
Koger Building  
9721 Executive Center Drive North, Suite 133  
St. Petersburg, FL 33702  
Telephone: (727)570-5383

 4/26/07  
Deputy Administrator  
Livestock and Seed Program  
Agricultural Marketing Service

Attachments

## SAMPLE INVITATION

DATE ISSUED: FROZEN, BREADED, CATFISH STRIPS  
ANNOUNCEMENT LS-132, INVITATION NO. \_\_\_\_:

The U.S. Department of Agriculture (USDA) invites offers pursuant to ANNOUNCEMENT LS-132 to sell frozen, breaded, catfish strips for use in the National School Lunch Program and other Federal food and nutrition programs. Purchases will be made on a shipping period basis to destinations indicated below. Destination quantities listed are estimates and are subject to adjustment based on offerings, changes in recipient needs, market conditions, and program operations.

In order to submit offers on this Invitation, offerors must be deemed eligible by the Contracting Officer.

All offers must be in the format prescribed in LS-132 and be submitted electronically via the Internet. Offers must be received by 1:30 p.m., CENTRAL TIME, Friday \_\_\_\_, 2007. Acceptances will be announced by midnight, Friday, \_\_\_\_, 2007. Shipments are to be made between \_\_\_\_ and \_\_\_\_, 2007.

Offeror must be assigned a Logon ID by USDA to access the site. The internet address is: <https://pcsd.usda.gov:3077/mdbc1000.exe?> Once connected, follow the online procedures. A "HELP" button provides detailed instructions or call (202) 720-2650 for assistance.

Inquiries about ANNOUNCEMENT LS-132 or this Invitation should be directed to the Contracting Officer, Livestock and Seed Program; USDA, AMS, Stop 0253 Room 2610-South; 1400 Independence Avenue, SW; Washington, D.C. 20250-0253. Telephone: (202) 720-2650; Fax (202) 720-0949.

|              |   |                            |
|--------------|---|----------------------------|
| ANNOUNCEMENT | : | LS-132                     |
| INVITATION   | : | 100                        |
| COMM GROUP   | : | 28 FISH, FROZEN            |
| COMM TYPE    | : | 24 FROZEN, CATFISH, STRIPS |
| PACK SIZE    | : | 40 2/20 LB FISH/CTN        |

| ITEM<br>NO. | CITY | DESTINATION<br>STATE | TRANS<br>RESTR | QUANTITY<br>(LBS) |
|-------------|------|----------------------|----------------|-------------------|
|-------------|------|----------------------|----------------|-------------------|

SHIPPING PERIOD 09/01/06-09/15/06


|     |           |    |            |         |
|-----|-----------|----|------------|---------|
| 001 | VANDIVER  | AL |            | 80,000  |
| 002 | DURAND    | GA | TRUCK ONLY | 320,000 |
| 003 | PALMDALE  | FL |            | 160,000 |
| 004 | BELLEVUE  | OH |            | 240,000 |
| 005 | KALKASKA  | MI |            | 420,000 |
| 006 | ROSCOE    | TX |            | 560,000 |
| 007 | TOLLVILLE | AR |            | 400,000 |

|                                   |           |
|-----------------------------------|-----------|
| TOTAL QUANTITY FOR COMMODITY TYPE | 2,180,000 |
|-----------------------------------|-----------|

|                               |           |
|-------------------------------|-----------|
| TOTAL QUANTITY FOR INVITATION | 2,180,000 |
|-------------------------------|-----------|

---

CONTRACTING OFFICER

|  |   |                                    |  |   |   |  |                               |   |                      |
|--|---|------------------------------------|--|---|---|--|-------------------------------|---|----------------------|
| <b>SOLICITATION MAILING LIST APPLICATION</b>   |   |                                    |  | 1. TYPE OF APPLICATION<br><input checked="" type="checkbox"/> INITIAL <input type="checkbox"/> REVISION |   | 2. DATE<br>06/12/02  |                               | OMB No.: 9000-0002<br>Expires: 10/31/97 |                      |
| <b>NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.</b><br>Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405. |   |                                    |  |   |   |  |                               |   |                      |
| 3. SUBMIT TO   | a. FEDERAL AGENCY'S NAME<br>USDA, AMS, Livestock and Seed Program |                                    |  |   | a. NAME<br>Matanuska Catfish EI#12-198674   |  |                               |   |                      |
|  | b. STREET ADDRESS<br>Room 2610-South, P.O. Box 96456              |                                    |  |   | b. STREET ADDRESS<br>Box 347  |  | c. COUNTY                     |   |                      |
|  | c. CITY<br>Washington   |                                    | d. STATE<br>DC   | e. ZIP CODE<br>20090-6456   |   | d. CITY<br>Tynek   |                               | e. STATE<br>MS                          | f. ZIP CODE<br>38746 |
|  |   |                                    |  |   | 4. APPLICANT<br>TIN No. 9788988888  |  |                               |   |                      |
| 5. TYPE OF ORGANIZATION (Check one)  |   |                                    |  |   | 6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)                         |  |                               |   |                      |
| <input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION<br><input type="checkbox"/> PARTNERSHIP <input checked="" type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF: Mississippi   |   |                                    |  |   | a. STREET ADDRESS<br>Same as #4<br>b. COUNTY<br>c. CITY<br>d. STATE<br>e. ZIP CODE                    |  |                               |   |                      |
| <b>7. NAMES OF OFFICERS, OWNERS, OR PARTNERS</b>   |   |                                    |  |   |   |  |                               |   |                      |
| a. PRESIDENT<br>J.E. Bryan   |   |                                    | b. VICE PRESIDENT<br>W.C. Edmonds  |   |   | c. SECRETARY<br>H.S. Wright  |                               |   |                      |
| d. TREASURER<br>R.F. Campbell  |   |                                    | e. OWNERS OR PARTNERS<br>Shareholders of the Corporation   |   |   |  |                               |   |                      |
| <b>8. AFFILIATES OF APPLICANT</b>  |   |                                    |  |   |   |  |                               |   |                      |
| NAME   |   | LOCATION                           |  |   |   | NATURE OF AFFILIATION  |                               |   |                      |
| Moose Pass Supply Co. Company TIN #XXXXXXXXXX  |   | 123 Abero Ave., Lakeview, AK 98555 |  |   |   | Wholly owned subsidiary - retail sales of hunting & fishing supplies   |                               |   |                      |
| <b>9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)</b>   |   |                                    |  |   |   |  |                               |   |                      |
| NAME   |   | OFFICIAL CAPACITY                  |  |   |   | TELEPHONE NUMBER   |                               |   |                      |
|  |   |                                    |  |   |   | AREA CODE  |                               | NUMBER                                  |                      |
| William L. Quinn   |   | Production Manager                 |  |   |   | 302  |                               | 457-3215                                |                      |
| Roger Spangenberg  |   | Sales Manager                      |  |   |   | 302  |                               | 457-3218                                |                      |
| David Brown  |   | General Manager                    |  |   |   | 302  |                               | 457-3215                                |                      |
| 10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)  |   |                                    |  |   |   |  |                               |   |                      |
| Commodity: Breaded Catfish Nuggets 200,000 lbs. 100,000 50% available for USDA Contracts<br>Breaded Catfish Strips 100,000 lbs. 50,000 25%   |   |                                    |  |   |   |  |                               |   |                      |
| 11a. SIZE OF BUSINESS (See definitions on reverse)   |   |                                    | 11b. AVERAGE NUMBER OF EMPLOYEES (including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS   |   |   | 11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS |                               |   |                      |
| <input checked="" type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C) <input type="checkbox"/> OTHER THAN SMALL BUSINESS   |   |                                    | 112  |   |   | \$ 27,306,705.00   |                               |   |                      |
| 12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)  |   |                                    | 13. TYPE OF BUSINESS (See definitions on reverse)  |   |   |  |                               |   |                      |
| <input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS  |   |                                    | <input checked="" type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER<br><input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT |   |   |  |                               |   |                      |
| 14. DUNS NO. (if available)  |   |                                    | 15. HOW LONG IN PRESENT BUSINESS?  |   |   |  |                               |   |                      |
| 02-777734  |   |                                    | 39 years   |   |   |  |                               |   |                      |
| 16. FLOORSPACE (Square Feet/M <sup>2</sup> )   |   |                                    |  |   | 17. NET WORTH   |  |                               |   |                      |
| a. MANUFACTURING<br>43,000   |   | b. WAREHOUSE<br>115,000*           |  |   | a. DATE<br>December 31, 2001  |  | b. AMOUNT<br>\$ 17,654,226.82 |   |                      |
| <b>18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)</b>  |   |                                    |  |   |   |  |                               |   |                      |
| FOR  |   | TOP SECRET                         | SECRET   | CONFIDENTIAL  | c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES   |  |                               | d. DATES GRANTED                        |                      |
| a. KEY PERSONNEL   |   |                                    |  |   |   |  |                               |   |                      |
| b. PLANT ONLY  |   |                                    |  |   |   |  |                               |   |                      |
| The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.   |   |                                    |  |   |   |  |                               |   |                      |
| 19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)<br>J.E. Bryan   |   |                                    |  |   | 20. SIGNATURE<br> |  |                               | 21. DATE SIGNED<br>06/12/02             |                      |
| 19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)<br>President   |   |                                    |  |   |   |  |                               |   |                      |
| AUTHORIZED FOR LOCAL REPRODUCTION Previous edition not usable<br>*Lee's Warehouse<br>224 Main Street<br>Snohomish, WA 87934<br>Cascade Warehouse<br>123 Fir Street<br>Mukilteo, WA 87208   |   |                                    |  |   |   |  |                               |   |                      |

## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

SIZE OF BUSINESS DEFINITIONS  
(See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

TYPE OF OWNERSHIP DEFINITIONS  
(See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

TYPE OF BUSINESS DEFINITIONS  
(See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.

## SAMPLE OFFER ELECTRONICALLY SUBMITTED

Submitted at: 07/13/2006 - 10:19:19 am Central Time

**John James Seafood Co.**  
 22 MAIN STREET  
 BERWYN, ME 55507

## LS-132/100, FROZEN CATFISH

| Authorized Changes and Comments                                  |                  |              |                         |          |           |           |
|--|------------------|--------------|-------------------------|----------|-----------|-----------|
| Date   |                  | Time         | USDA ID                 | Comments |           |           |
| Plant 01- John James Seafood Co, 22 Main Street, Berwyn, ME      |                  |              |                         |          |           |           |
| Shipping Point 01-Jones Meat Packing, 22 Main Street, Berwyn, ME |                  |              |                         |          |           |           |
| FROZEN, BREADED,CATFISH STRIPS                                   |                  |              |                         |          |           |           |
| Line Item  | Pack Size        | Destination  | Delivery Period         | Est LBS  | Price/LBS | Tran Mode |
| 001  | 4/10 lb Fish/Ctn | VANDIVER, AL | 09/01/2006 – 09/15/2006 | 80,000   | 1.8687    | Truck     |
| 002  | 4/10 lb Fish/Ctn | DURAND, GA   | 09/01/2006 – 09/15/2006 | 40,000   | 1.8686    | Truck     |
| 003  | 4/10 lb Fish/Ctn | PALMDALE, FL | 09/01/2006 – 09/15/2006 | 40,000   | 1.8885    | Truck     |

High Bid Price: 1.8885 Line Item: 003

Low Bid Price: 1.8687 Line Item: 001

Sum of Bid Prices: 3.7572

| Constraints  |         |                           |   |                                  |
|--|---------|---------------------------|---|----------------------------------|
| Const #  | Max Qty | Plant Location            | Shipping Period   | Product                          |
| 1  | 3       | 01- John James Seafood Co | 09/01/2006 - 09/15/2006   | CATFISH, BREADED,CATFISH 4/10 LB |
| Certifications   |         |                           |   |                                  |
| For this bid your company is designated as: SMALL BUSINESS   |         |                           |   |                                  |
| Question   |         |                           | Answer  |                                  |
| <b>01)</b> By submitting this bid, Offeror certifies it HAS read and DOES agree to the terms of LS-132, Appendix 1, Inv. 100, Item Description and Checklist of Requirements, dated November 2006; Contractor's Technical Proposal approved by the Contracting Officer; AMS audit team's initial report; USDA 1, Rev. 2, and Amnds1, 2, 3, and 4 and Federal Acquisition Regulations. (Both boxes must be selected ) |         |                           | HAS DOES  |                                  |
| <b>02A)</b> Annual Representations, Certifications and Warranties (Appendix 1) submitted to the Contracting Officer are current, accurate, and complete. Submitted to Contracting Officer (mm/dd/yyyy)   |         |                           | 8/30/2006   |                                  |
| <b>02B)</b> If Appendix HAS been amended, enter date amended or N/A.   |         |                           | N/A   |                                  |
| <b>03)</b> Offeror certifies that the company has completed the Online Representations and Certifications Application (ORCA) on (mm/dd/yyyy).  |         |                           | 08/29/2006  |                                  |
| <b>04)</b> Offeror certifies that the SF-129 on file with the Contracting Officer is accurate and part of this offer.  |         |                           | DOES  |                                  |
| <b>05)</b> All product required under existing USDA contract(s) or subcontract(s) with a Not Later Than Date prior to this bid opening HAS been delivered.   |         |                           | NO EXISTING CONTRACTS   |                                  |
| <b>06)</b> By submitting this bid, offeror certifies that all product conforms with the Item Description and Checklist of Requirements, dated November 2006 and no changes to the production process or written documents have occurred without proper approval by the Contracting Officer.  |         |                           | DOES  |                                  |
| <b>07)</b> By submitting this bid, offeror certifies that the offeror HAS registered under the Central Contractor Registration (CCR) system as described in Title 48 C.F.R. 4.1104   |         |                           | HAS   |                                  |
| <b>08)</b> Show name, title, fax number, and phone number of person submitting bid (must be an authorized company representative).   |         |                           | Edgar Kaufmann, President<br>Fax 705-347-8333<br>Phone 705-347-1715 |                                  |



SAMPLE OFFER WIRE OR LETTER  
FROZEN, BREADED, CATFISH PRODUCT SAMPLE OFFER WIRE OR LETTER

**Format to follow in the event of a USDA system failure or offeror's ISP is unavailable at the time of bid closing.**

**Note: Bids are to be faxed ONLY if electronic bid submission is due to USDA system failure or offeror's ISP is unavailable. Offers MUST contact the Contracting Officer prior to faxing offer.**

The following example shows how offer wires or letters may be submitted giving all essential details in the briefest possible manner. Basic to this procedure is a number identification with each line item of information required in the offer (see format in this Announcement).

Address to: Contracting Officer, Livestock and Seed Program

USDA, AMS

Stop 0253 Room 2610 South Building

1400 Independence Avenue SW

Washington, D.C. 20250-0253

BID FAX NUMBER: (202) 720-0949

BID RECEIPT VERIFICATION: (202) 720-2650

**Section 1 - General**

- |    |   |                   |
|----|---|-------------------|
| 1. | John James Seafood Co.<br>22 Main Street<br>(P.O. Box 123)<br>Berwyn, Maine 55507 | TEL. 705-555-2121 |
|----|---|-------------------|

2. LS-132/100, Catfish Frozen, Strips

- |    |  |   |
|----|--|---|
| 3. | <b>Plant</b><br>John James Seafood Co.<br>224 Main Street<br>Berwyn, Maine 55501 | <b>Shipping Point</b><br>John James Seafood Co.<br>224 Main Street<br>Berwyn, Maine 55501 |
|----|--|---|

**Section 2 - Offer Form**

- |    |                           |                      |
|----|---------------------------|----------------------|
| 1. |                           | ALTERNATE FORMAT     |
|    | (1) Vandiver, AL \$1.8687 | (1) \$1.8687 per lb. |
|    | (2) Durand, GA \$1.8686   | (2) \$1.8686 per lb. |
|    | (3) Pamdale, FL \$1.8685  | (3) \$1.8885 per lb. |

**Section 3 - Constraints**

- |    |   |   |
|----|---|---|
| 1. | <b>Maximum to be awarded</b><br>3 offer units, 120,000 pounds; catfish strips | <b>Shipping Period</b><br>09/01/06-09/15/06 |
|----|---|---|

**Section 4 - Certifications**

1. Small Business
2. HAS  
DOES
3. (a) 6/30/06 (date Appendix 1 was signed by Offeror)  
(b) N/A
4. 08/29/2006
5. DOES
6. NO EXISTING CONTRACTS
7. DOES
8. HAS
9. Edgar Kaufmann  
Edgar Kauffman, Sales Mgr, FAX 705-347-8333, TEL. 705-347-1715  
(SIGNATURE REQUIRED)

**PLANNED PURCHASE SCHEDULE  
2007-2008**

| <b>INV. NO.</b> | <b>COMMODITY<br/>TYPE</b> | <b>BID<br/>OPENING</b> | <b>AWARD DATE<br/>(NLT)</b> | <b>SHIPPING<br/>PERIOD</b> |
|-----------------|---------------------------|------------------------|-----------------------------|----------------------------|
| 001             | Catfish Strips            | 06/22/07               | 06/29/07                    | 08/16-31/07                |
| 002             | Catfish Strips            | 07/13/07               | 07/20/07                    | 09/01-15/07                |
| 003             | Catfish Strips            | 07/27/07               | 08/03/07                    | 09/16-30/07                |
| 004             | Catfish Strips            | 08/10/07               | 08/17/07                    | 10/01-15/07                |
| 005             | Catfish Strips            | 08/24/07               | 08/31/07                    | 10/16-31/07                |
| 006             | Catfish Strips            | 09/07/07               | 09/14/07                    | 11/01-15/07                |
| 007             | Catfish Strips            | 09/21/07               | 09/28/07                    | 11/16-30/07                |
| 008             | Catfish Strips            | 10/12/07               | 10/19/07                    | 12/01-15/07                |
| 009             | Catfish Strips            | 10/26/07               | 11/02/07                    | 12/16-31/07                |
| 010             | Catfish Strips            | 11/9/07                | 11/16/07                    | 01/01-15/08                |
| 011             | Catfish Strips            | 11/27/07<br>(Tuesday)  | 11/30/07                    | 01/16-31/08                |
| 012             | Catfish Strips            | 12/7/07                | 12/14/07                    | 02/01-15/08                |
| 013             | Catfish Strips            | 12/18/07<br>(Tuesday)  | 12/21/07                    | 02/16-28/08                |
| 014             | Catfish Strips            | 01/11/08               | 01/18/08                    | 03/01-15/08                |
| 015             | Catfish Strips            | 01/25/08               | 02/01/08                    | 03/16-31/08                |

**NOTE:** The above purchase schedule is for informational purposes only. USDA may change this schedule or cease purchases depending on receipt demands, market or funding considerations. Bidders are cautioned to refer to the applicable Invitation prior to submitting offers.

Company Name

Page X of Y

(Frozen Catfish Product)

[Company Name]

[Company Address]

Technical Proposal for: [Announcement Number] and [Specification]

**Table of Contents** (all pages and attachments must be number and identified—any attachments must be identified and referenced in the Technical Proposal)

*The technical proposal should include all phases of production that meets or exceeds the requirements stated in the specification to produce complying product.*

- I. **ITEM DESCRIPTION** - Please provide a brief description of the product that will be addressed in the technical proposal.
- II. **CHECKLIST OF REQUIREMENTS** - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the checklist of requirements section of the specification.
  - A. **MATERIALS** - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the material section of the specification.

Contractors are responsible for providing sufficient product traceability and must have records to verify the source of raw materials used in each lot of product.

1. Fish Flesh– (plan, do, check, act)
  - a. Domestic Origin
  - b. Fresh Only
  - c. Flesh Characteristics
  - d. Fillets
  - e. Objectionable Materials
  - f. Fish Flesh Content
2. Ingredients– (plan, do, check, act)
  - a. Domestic Origin of Ingredients
  - b. Batter/Breading
  - c. Monosodium Glutamate (MSG)
3. Portion Weight – (plan, do, check, act)
4. Individually Quick Frozen
5. Preparation/Cooking Methods– (plan, do, check, act)
6. Metal Detection
7. Finished Product Evaluation

**B. PREPARATION FOR DELIVERY - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the preparation for delivery section of the specification.**

**1. PACKAGING AND PACKING - (plan, do, check, act)**

- a. Packaging
- b. Cases
- c. Net Weight
- d. Style and Size of Container

**2. LABELING - (plan, do, check, act)**

- a. Bags
- b. Cases

**3. PALLETIZED UNIT LOADS (plan, do, check, act)**

**C. PRODUCT ASSURANCE - Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance with the assure product meets the specification requirements.**

**1. QUALITY ASSURANCE - (plan, do, check, act)**

**2. DELIVERED PRODUCT - (plan, do, check, act)**

- a. Delivery Unit
- b. Sealing

**3. WARRANTY AND COMPLAINT RESOLUTION - (plan, do, check, act)**

**D. NON-CONFORMING PRODUCT -- Please provide a brief description of the planning, production steps (do), check and corrective/preventive (act) measures that the company will do to assure compliance that non-conforming product is not shipped under USDA contracts.**

NOTE: In preparing Offeror's technical proposal please follow the outline format for the applicable IDCR that the company is submitting.

**Attachments or Appendixes**

**Please attach all referenced documents with the applicable document name and reference number.**

**Please provide an example of the Statistical Process Control Charts and Histograms that the supplier intends to utilize in the production process.**

**UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK AND SEED PROGRAM**

**CERTIFICATE OF CONFORMANCE FOR  
THE PROCUREMENT OF  
BREADED CATFISH STRIPS**

**CERTIFICATE OF CONFORMANCE**

I certify the following:

- (1.) On [shipping date], [Contractor's name] furnished the breaded catfish strips called for by Contract Number        for product shipped under Notice-to-Deliver Number            in accordance with all applicable requirements.
- (2.) The breaded catfish strips are of the quality specified and conforms in all respects with domestic product requirements and other the contract requirements, including the Item Description and Checklist of Requirements, and Technical Proposal approved by the Contracting Officer.
- (3.) Product quantity shipped is as required on the Notice to Deliver.
- (4.) [Contractor's name] will maintain records obtained from catfish producers in regards to the Food and Drug Administration's drug and pesticide requirements and will make the records available to the AMS agent upon request.

**Date:** \_\_\_\_\_

**Signature:**  
(Signed by an officer or representative authorized to sign offers on the current SF-129)

**Title:**



United States  
Department of  
Agriculture

Agricultural  
Marketing  
Service

STOP 0253- Room 2610-S  
1400 Independence Avenue, SW.  
Washington, DC 20250-0253

Notice

**AGRICULTURAL MARKETING SERVICE  
FOOD PURCHASE INFORMATION ON THE INTERNET**

Suppliers and Recipients of Food Products purchased by the Department of Agriculture's Agricultural Marketing Service (AMS), an agency in the Marketing and Regulatory mission area, can access information on purchases and offers via the Internet.

**FOR QUICK ACCESS TYPE THE ADDRESS DESIRED IN THE LOCATION BOX:**

**USDA HOME PAGE:**

<http://www.usda.gov/>

**AMS HOME PAGE:**

<http://www.ams.usda.gov/>

**AMS COMMODITY PROCUREMENT HOME PAGE:**

<http://www.ams.usda.gov/cp>

**USDA, AMS,  
Livestock and Seed Program****APPROVED****ITEM DESCRIPTION AND  
CHECKLIST OF REQUIREMENTS  
(IDCR) FOR  
BREADED, PAR-FRIED,  
CATFISH STRIPS, FROZEN**Contracting Officer Technical Representative (COTR):  
Standards, Analysis, and Technology Branch  
Room 2607, Phone: (202) 720-4486**Effective: November 2006****I. ITEM DESCRIPTION**

- Item – Breaded, par-fried, freshwater catfish strips, frozen.
- Portion Weight – The portion weight for catfish strips shall be 2.0 ounces.
- Formulation – The frozen, breaded, par-fried, catfish strips shall consist of not less than 75 percent catfish flesh in the raw formula.
- Packing – The catfish strips will be packaged in twenty (20) 2-pound or four (4) 10-pound container bags and placed into cases weighing 40 pounds.

**II. CHECKLIST OF REQUIREMENTS**

Product will be produced under the Food and Drug Administration regulations and all applicable Federal acts and regulatory references cited therein which are in effect on the date of production.

**A. MATERIALS**

Contractors must describe in detail the necessary processing steps, supported with digital images, to comply with the requirements below.

**1. FISH FLESH**

- a. Domestic Origin of Fish Flesh – The catfish will be harvested from commercial, U.S. farm-raised freshwater catfish of the *Ictaluridae* family: channel catfish (*Ictalurus punctatus*), blue catfish (*Ictalurus furcatus*), and the white catfish (*Ictalurus catus*) and its hybrids.
- b. Fresh Only – Only fresh (not frozen) catfish will be allowed.
- c. Flesh Characteristics – The catfish flesh will have characteristics of good quality, including, but not limited to, flavor, texture, and odor and will be evaluated during the prototype review.
- d. Fillets – The catfish strips will be prepared from trimmed catfish shank fillet (without belly-flap section).
- e. Objectionable Materials – The Contractor must identify and develop a strategy and have a written quality plan that will effectively remove all bones, skin, organs, tails, fins, and foreign materials. The strategy must include an advanced scanning technology to assure detection of all bone and bone materials.
- f. Fish Flesh Content – The breaded, par-fried, catfish strips, frozen shall consist of not less than 75 percent catfish flesh in the raw formula. Catfish flesh injected with added ingredients is prohibited.

**2. INGREDIENTS**

- a. Domestic Origin of Ingredients – Significant ingredients (more than 1 percent) shall be derived from U.S. produced products when U.S. produced products are available from ingredient suppliers.
- b. Batter/Breading – The catfish strips shall be breaded in a cornmeal based breading similar to those normally used for commercial marketed breaded catfish strips. Additional ingredients that include spices, seasonings, salt, etc., may be used as needed to produce the desired flavor, color, texture, and crispness.
- c. Monosodium Glutamate (MSG) – Use of MSG is not allowed.

**3. PORTION WEIGHT**

The portion weight for catfish strips shall be 2.0 ounces and shall have a uniform shape and size to meet the portion weight requirement. The raw weight of the catfish strips must be declared and charted on control charts featuring average weight and range.

**4. INDIVIDUALLY QUICK FROZEN (IQF)**

The breaded, par-fried, catfish strips shall be IQF so the individual strips do not stick together after they are packaged and packed. The product temperature at the time of shipment and delivery shall not exceed 0°F.

**5. PREPARATION/COOKING METHODS**

The breaded, catfish strips shall be prepared (par-fried) so that the end-user may bake them in a conventional or convection type oven. Cooking instructions must be declared and appear on the cases and/or bags.

**6. METAL DETECTION**

Detection of stainless steel, ferrous, and non-ferrous (e.g., lead, copper, and aluminum) metals is required. The equipment, location, detection procedure, sensitivity levels, frequency of equipment validation, and corrective action procedures will be identified and described.

**7. FINISH PRODUCT EVALUATION**

The finished products shall be evaluated for cooked flavor, odor, color, and texture in accordance with established sampling and cooking procedures developed by the Contractor.

**B. PREPARATION FOR DELIVERY****1. PACKAGING AND PACKING**

- a. Packaging – The catfish strips will be packaged in twenty (20) 2-pound or four (4) 10-pound container bags. The bags shall be closed by heat seal or metal clips.
- b. Cases – The shipping containers (cases) shall be in compliance with the National Motor Freight Classification or Uniform Freight Classification.
- c. Net Weight – Cases shall be packed into new 40-pound net weight shipping containers of a size to accommodate the product without slack filling or overfilling.
- b. Style and Size of Container – Only one size and style of bags and cases may be offered in an individual shipping unit.



**2. LABELING**

Both bags and cases will be labeled to include all information required by USDC regulations and the required information listed below. Labels must not be able to be removed in an intact form.

a. Bags – The following information must be on each bag:

- (1) A traceability code that includes information regarding production establishment, production date and production lot.
- (2) Nutrition facts based on actual nutritional analysis of the product.

b. Cases – The following information must be on each case:

- (1) USDA Shield – The shield will be at least 2 inches high and will appear on top or on the principle display panel of each case.
- (2) The applicable contract number.
- (3) A traceability code that includes information regarding production establishment, production date and production lot.
- (4) Nutrition facts based on actual nutritional analysis of the product.
- (5) Cooking Instructions.
- (6) USDC Inspection Mark – The Processed Under Federal Inspection “PUFI” mark.
- (7) Product Code: “A751” for 2-Pound Bags, and “A752” for 10-Pound Bags

**3. PALLETIZED UNIT LOADS**

All cases shall be stacked on new or well-maintained pallets and palletized with shrink wrap plastic.

**C. PRODUCT ASSURANCE****1. QUALITY ASSURANCE**

All breaded, par-fried, catfish strips, frozen will be produced under the National Marine Fisheries Service (NMFS) Type I inspection, which may include Integrated Quality Assurance (IQA) or HACCP Quality Management Program (HACCP-QMP). The contractors must declare the type of NMFS inspection program they are operating under.

**2. DELIVERED PRODUCT**

- a. Delivery Unit – Each delivery unit will consist of 1,000 shipping containers with a net weight of 40,000 pounds.
- b. Sealing – All products must be delivered to AMS destinations under seal in accordance with Section I. C. of this Announcement.

**3. WARRANTY AND COMPLAINT RESOLUTION**

- a. Warranty – The contractor will warrant that the product complies with all contractual requirements.
- b. Complaint Resolution – The contractor’s technical proposal must provide the steps taken to resolve complaints received on the product i.e., point of contact, cause and effect analysis, product replacement, monetary compensation and corrective and preventative actions taken.

**D. NON-CONFORMING PRODUCT**

The Contractor must include a plan to assure that non-conforming product is not delivered under USDA contracts. The plan must address (1) control and segregation of nonconforming product, (2) removal of any USDA markings, and (3) disposition of nonconforming product.

## Browser Requirements For DEBES

Netscape 4.07 or above

Internet Explorer 5.0 or above

The browser must be capable of handling 128 bit encryption. To determine this:

In IE, go to **Help/About Internet Explorer**. The display will show:

**Cipher Strength: 128-bit**

If it does not, you will need to download a new version of the browser from Microsoft at <http://www.microsoft.com>.

In Netscape, go to **Help/About Communicator**. The display will show:

**This version supports U.S. security with  
RSA Public Key Cryptography, MD2, MD5,  
RC2-CBC, RC4, DES-CBC,  
DES-EDE3-CBC.**

If it does not, you can download a new version of the browser from Netscape at <http://home.netscape.com/download/index.html?cp=djucc4>. Choose the 128 bit Strong Encryption\* version for your download.

The **Production** site URL address is:

<https://pcsd.usda.gov:3077/mdbc1000.exe?>

The **Vendor Practice** site URL address is:

<https://pcsd.usda.gov:3050/mdbc1000.exe?>

### Proxy Servers

Most connection problems are the result of improper browser version, not using 128 bit encryption, and connecting through your corporate proxy server. The proxy server must be set up to allow HTTPS protocol through the appropriate port; Vendor Practice is port 3050 and Production is port 3077.

**LIVESTOCK AND SEED PROGRAM  
VENDOR REQUEST FOR LOGON IDENTIFICATION (ID) AND PASSWORD  
DOMESTIC ELECTRONIC BID ENTRY SYSTEM (DEBES)**

**COMPANY INFORMATION:**

|   |              |                 |
|---|--------------|-----------------|
| <b>COMPANY NAME</b>   |              |                 |
| <b>Street Address</b>   |              |                 |
| <b>City</b>   | <b>State</b> | <b>Zip Code</b> |
| <b>Person to receive Vendor ID and password</b>   |              |                 |
| <b>Method to receive Vendor ID and password: (Complete one)</b>                                     |              |                 |
| Telephone: _____  |              |                 |
| Fax: _____  |              |                 |
| E-Mail: _____   |              |                 |
| <b>Assign 5-8 digit alpha/numeric personal identification number (PIN) for company:</b><br>_____    |              |                 |
| (This code will be used as verification by USDA when assigning or resetting a password)             |              |                 |
| <b>NAME AND TITLE OF PERSON REQUESTING LOGON ID:</b><br>(Must be authorized on SF-129 to sign bids) |              |                 |
| Name _____ Title _____  |              |                 |
| Signature _____ Date _____  |              |                 |

**TO BE COMPLETED BY USDA:**

|   |   |
|---|---|
| <b>VENDOR LOGON ID:</b><br><br>(“A” and 6 digits)                     | <b>PASSWORD:</b><br><br>(must be changed at first DEBES logon): |
| <b>Notified:</b> _____ <b>Date:</b> _____<br>(Company Representative) |   |
| <b>USDA Marketing Specialist:</b> _____ <b>Date:</b> _____            |   |

**PLEASE FAX TO: Contracting Officer, Commodity Procurement Branch, LSP Programs (202) 720-9538**

**FOR INFORMATION CALL (202) 720-2650**

**ACH VENDOR/MISCELLANEOUS PAYMENT  
ENROLLMENT FORM**

OMB No. 1510-0056

Expiration Date 01/31/2000

This form is used for Automated Clearing House (ACH) payments with an addendum record that contains payment-related information processed through the Vendor Express Program. Recipients of these payments should bring this information to the attention of their financial institution when presenting this form for completion.

**PRIVACY ACT STATEMENT**

The following information is provided to comply with the Privacy Act of 1974 (P.L. 93-579). All information collected on this form is required under the provisions of 31 U.S.C. 3322 and 31 CFR 210. This information will be used by the Treasury Department to transmit payment data, by electronic means to vendors financial institution. Failure to provide the requested information may delay or prevent the receipt of payments through the Automated Clearing House Payment System.

**AGENCY INFORMATION**

FEDERAL PROGRAM AGENCY:

United States Department of Agriculture - Commodity Credit Corporation

AGENCY IDENTIFIER:

**USDA-FSA-KCMO**

AGENCY LOCATION CODE (ALC):

**0000-4992-2**

ACH FORMAT:

**DO NOT COMPLETE THIS**☒ CCD+☐ CTX☐ CTP

ADDRESS:

Attn: ACH Disbursements  
P. O. Box 419205  
Kansas City, Missouri 64141-6205

CONTACT PERSON NAME:

Bob Glenn

TELEPHONE NUMBER:

( 816 ) 926-6988

ADDITIONAL INFORMATION:

FAX Number: (816) 823-1364

**PAYEE/COMPANY INFORMATION**

NAME:

SSN NO. OR TAXPAYER ID NO.:

MAILING ADDRESS:

ENTITY/MASTER-CONTRACT CODE (If known)  
(Attach sheet if more space needed):

DISBURSEMENT STATEMENT MAILING ADDRESS (If different from above):

CONTACT PERSON NAME:

TELEPHONE NUMBER:

( )

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL:

**FINANCIAL INSTITUTION INFORMATION**

NAME:

ADDRESS:

ACH COORDINATOR NAME:

TELEPHONE NUMBER:

( )

NINE-DIGIT ROUTING TRANSIT NUMBER

\_ \_ \_ \_ \_

DEPOSITOR ACCOUNT TITLE:

DEPOSITOR ACCOUNT NUMBER:

LOCKBOX NUMBER:

TYPE OF ACCOUNT:

☐ CHECKING☐ SAVINGS☐ LOCKBOX

SIGNATURE AND TITLE OF AUTHORIZED OFFICIAL (Could be the same as ACH Coordinator):

TELEPHONE NUMBER:

( )

## **INSTRUCTIONS FOR COMPLETING SF-3881 FORM**

1. Agency Information Section - Federal agency prints or types the name and address of the Federal program agency originating the vendor/miscellaneous payment, agency identifier, agency location code, contact person name and telephone number of the agency. Also, the appropriate box for ACH format is checked.
2. Payee/Company Information Section - Payee prints or types the name of the payee/company and address that will receive ACH vendor/miscellaneous payments, social security or taxpayer ID number, and contact person name and telephone number of the payee/company. Payee also verifies depositor account number, account title, and type of account entered by your financial institution in the Financial Institution Information Section.
3. Financial Institution Information Section - Financial institution prints or types the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Also, the box for type of account is checked, and the signature, title, and telephone number of the appropriate financial institution official are included.

## **BURDEN ESTIMATE STATEMENT**

The estimated average burden associated with this collection of information is 15 minutes per respondent or record keeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Financial Management Service, Facilities Management Division, Property and Supply Branch, Room B-101, 3700 East-West Highway, Hyattsville, MD 20782 and the Office of Management and Budget, Paperwork Reduction Project (1510-0056), Washington, DC 20503.



United States  
Department of  
Agriculture

Agriculture  
Marketing  
Service

Stop 0253-Room 2610-S  
1400 Independence Avenue, SW  
Washington, DC 20250

**ADDRESS INFORMATION FOR AMS COMMODITY PURCHASE PROGRAM**

|  |  |      |
|--|--|------|
| Vendor Name and Address:<br><br>Contracts will be awarded and mailed to address provided.  | Company Name:  |      |
|  | Contact:   |      |
|  | Address-Street:  |      |
|  | Address-P.O. Box:  |      |
|  | City, State, Zip:  |      |
|  | Fed. Meat Insp. Est. No.<br>Or State Insp. No. as appropriate: |      |
|  | E-Mail address:  |      |
|  | Phone:   | Fax: |
| Payment Disbursement Statement address:<br>Payments to Vendors must be made electronically. To set up electronic transfer, contact the Kansas City Mgmt. Office (816/926-6988)<br><br><input type="checkbox"/> ACH <input type="checkbox"/> In Process | Company Name:  |      |
|  | Contact:   |      |
|  | Address-Street:  |      |
|  | Address-P.O. Box:  |      |
|  | City, State, Zip:  |      |
|  | Phone:   |      |
|  | Taxpayer Identification No. (TIN #)                            |      |
| Plant Address:<br><br>If Vendor address is same for plant, write "Same".<br><br>If multiple plants, attach additional pages.   | Company Name:  |      |
|  | Contact:   |      |
|  | Address-Street:  |      |
|  | Address-P.O. Box:  |      |
|  | City, State, Zip:  |      |
|  | Phone:   |      |
| Plant's Shipping Point Address:<br><br>If Plant address is same for shipping, write "Same".<br><br>If multiple shipping points, attach additional pages.   | Company Name:  |      |
|  | Contact:   |      |
|  | Address-Street:  |      |
|  | Address-P.O. Box:  |      |
|  | City, State, Zip:  |      |
|  | Phone:   |      |
| Notice to Deliver Address:   | Company Name:  |      |
|  | Contact:   |      |
|  | Address-Street:  |      |
|  | Address-P.O. Box:  |      |
|  | City, State, Zip:  |      |
|  | Phone:   |      |

\_\_\_\_\_  
Signature & Title (Authorized Company Representative)

\_\_\_\_\_  
Date

PLEASE RETURN THIS FORM BY FAX TO:

Contracting Officer, Livestock & Seed Program, AMS, USDA; 202/720-9538.

| SOLICITATION MAILING LIST APPLICATION  |                          |            |  | 1. TYPE OF APPLICATION<br><input type="checkbox"/> INITIAL <input type="checkbox"/> REVISION |   | 2. DATE  |  | OMB No.: 9000-0002<br>Expires: 10/31/97           |  |
|--|--------------------------|------------|--|--|---|--|--|---|--|
| <b>NOTE: Please complete all items on this form. Insert N/A in items not applicable. See reverse for instruction.</b><br>Public reporting burden for this collection of information is estimated to average .58 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVR), Federal Acquisition Policy Division, GSA, Washington, DC 20405. |                          |            |  |  |   |  |  |   |  |
| 3. SUBMIT TO   | a. FEDERAL AGENCY'S NAME |            |  |  | 4. APPLICANT  | a. NAME  |  |   |  |
|  | b. STREET ADDRESS        |            |  |  |   | b. STREET ADDRESS  |  | c. COUNTY   |  |
|  | c. CITY                  |            | d. STATE   |  |   | e. ZIP CODE  |  | d. CITY   |  |
| 5. TYPE OF ORGANIZATION (Check one)<br><input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> NON-PROFIT ORGANIZATION<br><br><input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> CORPORATION, INCORPORATED UNDER THE LAWS OF THE STATE OF:   |                          |            |  |  | 6. ADDRESS TO WHICH SOLICITATIONS ARE TO BE MAILED (If different than item 4)<br>a. STREET ADDRESS                      b. COUNTY<br><br>c. CITY                      d. STATE    e. ZIP CODE |  |  |   |  |
| 7. NAMES OF OFFICERS, OWNERS, OR PARTNERS  |                          |            |  |  |   |  |  |   |  |
| a. PRESIDENT   |                          |            | b. VICE PRESIDENT  |  |   | c. SECRETARY   |  |   |  |
| d. TREASURER   |                          |            | e. OWNERS OR PARTNERS  |  |   |  |  |   |  |
| 8. AFFILIATES OF APPLICANT   |                          |            |  |  |   |  |  |   |  |
| NAME   |                          |            | LOCATION   |  |   | NATURE OF AFFILIATION  |  |   |  |
|  |                          |            |  |  |   |  |  |   |  |
|  |                          |            |  |  |   |  |  |   |  |
|  |                          |            |  |  |   |  |  |   |  |
| 9. PERSONS AUTHORIZED TO SIGN OFFERS AND CONTRACTS IN YOUR NAME (Indicate if agent)  |                          |            |  |  |   |  |  |   |  |
| NAME   |                          |            | OFFICIAL CAPACITY  |  |   | TELEPHONE NUMBER   |  |   |  |
|  |                          |            |  |  |   | AREA CODE  |  | NUMBER  |  |
|  |                          |            |  |  |   |  |  |   |  |
|  |                          |            |  |  |   |  |  |   |  |
| 10. IDENTIFY EQUIPMENT, SUPPLIES, AND/OR SERVICES ON WHICH YOU DESIRE TO MAKE AN OFFER (See attached Federal Agency's supplemental listing and instruction, if any)  |                          |            |  |  |   |  |  |   |  |
| 11a. SIZE OF BUSINESS (See definitions on reverse)<br><input type="checkbox"/> SMALL BUSINESS (If checked, complete items 11B and 11C) <input type="checkbox"/> OTHER THAN SMALL BUSINESS  |                          |            | 11b. AVERAGE NUMBER OF EMPLOYEES (Including affiliates) FOR FOUR PRECEDING CALENDAR QUARTERS   |  |   | 11c. AVERAGE ANNUAL SALES OR RECEIPTS FOR PRECEDING THREE FISCAL YEARS<br>\$ |  |   |  |
| 12. TYPE OF OWNERSHIP (See definitions on reverse) (Not applicable for other than small businesses)<br><input type="checkbox"/> DISADVANTAGED BUSINESS <input type="checkbox"/> WOMAN-OWNED BUSINESS   |                          |            | 13. TYPE OF BUSINESS (See definitions on reverse)<br><input type="checkbox"/> MANUFACTURER OR PRODUCER <input type="checkbox"/> CONSTRUCTION CONCERN <input type="checkbox"/> SURPLUS DEALER<br><input type="checkbox"/> SERVICE ESTABLISHMENT <input type="checkbox"/> RESEARCH AND DEVELOPMENT |  |   |  |  |   |  |
| 14. DUNS NO. (If available)  |                          |            |  |  | 15. HOW LONG IN PRESENT BUSINESS?   |  |  |   |  |
| 16. FLOOR SPACE (Square Feet/M <sup>2</sup> )<br>a. MANUFACTURING    b. WAREHOUSE  |                          |            |  |  | 17. NET WORTH<br>a. DATE    b. AMOUNT<br>\$   |  |  |   |  |
| 18. SECURITY CLEARANCE (If applicable, check highest clearance authorized)   |                          |            |  |  |   |  |  |   |  |
| FOR  |                          | TOP SECRET |  | SECRET   |   | CONFIDENTIAL   |  | c. NAMES OF AGENCIES GRANTING SECURITY CLEARANCES |  |
| a. KEY PERSONNEL   |                          |            |  |  |   |  |  | d. DATES GRANTED                                  |  |
| b. PLANT ONLY  |                          |            |  |  |   |  |  |   |  |
| The information supplied herein (including all pages attached) is correct and neither the applicant nor any person (or concern) in any connection with the applicant as a principal or officer, so far as is known, is now debarred or otherwise declared ineligible by any agency of the Federal Government from making offers for furnishing materials, supplies, or services to the Government or any agency thereof.   |                          |            |  |  |   |  |  |   |  |
| 19a. NAME OF PERSON AUTHORIZED TO SIGN (Type or print)   |                          |            |  |  | 20. SIGNATURE   |  |  | 21. DATE SIGNED                                   |  |
| 19b. TITLE OF PERSON AUTHORIZED TO SIGN (Type or print)  |                          |            |  |  |   |  |  |   |  |

AUTHORIZED FOR LOCAL REPRODUCTION  
Previous edition not usable

STANDARD FORM 129 (REV. 12-96)  
Prescribed by GSA - FAR (48 CFR) 53.214(e)



## INSTRUCTIONS

Persons or concerns wishing to be added to a particular agency's bidder's mailing list for supplies or services shall file this properly completed Solicitation Mailing List Application, together with such other lists as may be attached to this application form, with each procurement office of the Federal agency with which they desire to do business. If a Federal agency has attached a Supplemental Commodity list with instructions, complete the application as instructed. Otherwise, identify in Item 10 the equipment, supplies, and/or services on which you desire to bid. (Provide Federal Supply Class or Standard Industrial Classification codes, if available.) The application shall be submitted and signed by the principal as distinguished from an agent, however constituted.

After placement on the bidder's mailing list of an agency, your failure to respond (submission of bid, or notice in writing, that you are unable to bid on that particular transaction but wish to remain on the active bidder's mailing list for that particular item) to solicitations will be understood by the agency to indicate lack of interest and concurrence in the removal of your name from the purchasing activity's solicitation mailing for items concerned.

### SIZE OF BUSINESS DEFINITIONS (See Item 11A.)

a. Small business concern - A small business concern for the purpose of Government procurement is a concern, including its affiliates, which is independently owned and operated, is not dominant in the field of operation in which it is competing for Government contracts, and can further qualify under the criteria concerning number of employees, average annual receipts, or the other criteria, as prescribed by the Small Business Administration. (See Code of Federal Regulations, Title 13, Part 121, as amended, which contains detailed industry definitions and related procedures.)

b. Affiliates - Business concerns are affiliates of each other when either directly or indirectly (i) one concern controls or has the power to control the other, or (ii) a third party controls or has the power to control both. In determining whether concerns are independently owned and operated and whether or not affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationship. (See Items 8 and 11A.)

c. Number of employees - (Item 11B) In connection with the determination of small business status, "number of employees" means the average employment of any concern, including the employees of its domestic and foreign affiliates, based on the number of persons employed on a full-time, part-time, temporary or other basis during each of the pay periods of the preceding 12 months. If a concern has not been in existence for 12 months, "number of employees" means the average employment of such concern and its affiliates during the period that such concern has been in existence based on the number of persons employed during each of the pay periods of the period that such concern has been in business.

### TYPE OF OWNERSHIP DEFINITIONS (See Item 12.)

a. "Disadvantaged business concern" - means any business concern (1) which is at least 51 percent owned by one or more socially and economically disadvantaged individuals; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more socially and economically disadvantaged individuals; and (2) whose management and daily business operations are controlled by one or more of such individuals.

b. "Women-owned business" - means a business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

### TYPE OF BUSINESS DEFINITIONS (See Item 13.)

a. "Manufacturer or producer" - means a person (or concern) owning, operating, or maintaining a store, warehouse, or other establishment that produces, on the premises, the materials, supplies, articles or equipment of the general character of those listed in Item 10, or in the Federal Agency's Supplemental Commodity List, if attached.

b. "Service establishment" - means a concern (or person) which owns, operates, or maintains any type of business which is principally engaged in the furnishing of nonpersonal services, such as (but not limited to) repairing, cleaning, redecorating, or rental of personal property, including the furnishing of necessary repair parts or other supplies as a part of the services performed.

- **COMMERCE BUSINESS DAILY** - The Commerce Business Daily, published by the Department of Commerce, contains information concerning proposed procurements, sales, and contract awards. For further information concerning this publication, contact your local Commerce Field Office.